

Critical Areas Ordinance

2015 Periodic Update



What are critical areas?



Landslide Hazards



Erosion Hazards



Flood Hazards

What are critical areas?



Streams



Fish and Wildlife Habitat



Wetlands



Why regulate?

...for the benefit and protection of our residents

- To protect the public health, safety, and welfare
- To allow for reasonable uses
- To maintain beneficial functions and values of critical areas such as:
 - water quality protection
 - fish and wildlife habitat
 - flooding reduction
 - erosion control
 - recreation
 - natural beauty
 - air quality protection
- To reduce cumulative adverse impacts
- and because the State Growth Management Act (GMA) requires it.



Minimum Required

- Conduct meaningful public participation
- Bring standards into alignment with Best Available Science (BAS) as needed
- Meet State deadline for periodic update in order to remain eligible for state grant funding tied to GMA

Minimum Required - BAS

Changes Needed:

- Geologic Hazards
- Fish and Wildlife Habitat
- Wetlands
- Streams



No BAS Changes:

- Flood Hazards (2012)
- Aquifer Recharge Areas (none in City)

Clarity and Predictability

- ✓ Add standards for critical area reports
- ✓ Clarify exemptions/allowed activities
- ✓ Improve standards for critical area review process
- ✓ Modify problematic and unclear code sections

Update Timeline

- **Public Participation meetings** – May 5th and 14th
- **Planning Commission** – tentative dates
 - May 21 – Introduction and Overview
 - June 4 – Geologic Hazard Areas
 - June 18 – Wetlands and Shoreline Master Program
 - July 2 – Streams and General Critical Area Provisions
 - July 16- Public Hearing and Recommendation
- **City Council review and adoption** – tentatively August to September 2015
- **Implementation** – tentatively starting September 2015



Geologic Hazard Areas

- Geotechnical engineering consultant hired to review Best Available Science (BAS) and recommend code changes.
- Anticipated changes:
 - Improve standards for critical area reports and hazards assessment.
 - Update definitions of geologic hazard types for consistency with BAS and to eliminate redundancy.
 - Clarify allowed activities and applicable exemptions.





Wetlands

- Best Available Science available from WA Department of Ecology (DOE) - synthesized in 2005 and updated in 2013.
- City adopted State recommended wetland rating system as part of the 2013 Shoreline Master Program (SMP).
- Anticipated changes:
 - Transfer wetlands regulations from SMP into Critical Areas chapter.
 - Change wetland rating standards consistent with DOE 2014 *Update of the Wetland Rating System for Western Washington*.
 - Clarify allowed activities and exemptions.

Streams and Fish & Wildlife Habitat Conservation Areas

- Best Available Science is still being reviewed, to include the State Priority Habitat & Species Program.
- Anticipated changes:
 - Consider combining Streams with Fish & Wildlife Habitat section based on State model code provisions.
 - Update standards based on state recommendations. Including adoption of State Water Type Classification.
 - Clarify allowed activities and exemptions.
 - Improve standards for critical area reports.



General Critical Area Provisions

- These provisions apply to all types of critical areas. Best practices and the State's model code adopted by neighboring jurisdictions in the region are being reviewed.
- Anticipated changes:
 - Improve general standards for critical area reports.
 - Change process for review of critical area reports and involvement of qualified third party reviewers.
 - Clarifying allowed activities and exemptions.
 - Update definitions related to critical areas.

Next Steps?

- **Critical Area Conversations – Two Public Meetings**
 - Richmond Beach Library – Meeting Room, 19601 21st Avenue NW
May 5th, 2015, 6:30pm – 8:30pm
 - **North City Water District – Meeting Room, 1519 NE 177th Street**
May 14th, 2015, 6:30pm – 8:30pm
- City staff to develop and review draft code changes April-June 2015
- Planning Commission study sessions and public hearing on recommended code changes May-July 2015
- City Council study of recommended changes and adoption in July-September 2015



Questions or Comments?

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shorelinewa.gov/critical-areas

